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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,293	10/09/2003	Rasheed Hosein	LIN940	9276
7590	11/07/2005		EXAMINER	
Sean A. Kaufhold P.O. Box 131447 Carlsbad, CA 92013			NGUYEN, HUNG T	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/681,293

Applicant(s)

HOSEIN, RASHEED

Examiner

HUNG T. NGUYEN

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 & 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proulx (U.S. 5,708,412) in view of Provasnik (U.S. 4,282,754).

Regarding claim 1, Proulx discloses a temperature warning indicator (26,44) for an engine of a vehicle [figs.1,4,6, col.3, lines 4-7 , col.4, lines 8-49 and col.5, lines 28-43] comprising:

- a heat sensor (15) for monitoring the engine is starting overheat [figs.1,2,7, col.4, lines 29-49 and col.5, lines 28-49];
- electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs.1,3,7, col.4, lines 11-34 col.5, lines 4-43];
- an audible signal (44) includes a speaker is inherently and visual signal / LED (26) are

connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [figs.1,3,7, col.4, lines 11-34 and col.5, lines 4-43];

- a power supply (10) is powering the electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs.1,3,7, col.4, lines 11-34 and col.5, lines 4-43];

The reference of Proulx does not specifically mention "processor" is used in the temperature warning system and a securing member attaching the heat sensor adjacent to an exterior surface of the engine as claimed by the applicant.

However, Proulx does teach the base unit communicates with the heat sensor (15) and does most of the data processing as monitoring the engine is starting overheat which can be set / adjusted the temperature warning system to provide an accurate and early warning if the ENGINE starts to overheat for any reason [figs.1,3,7, col.3, lines 17-24, col.4, lines 11-34 and col.5, lines 4-43]; and

- the temperature warning device having a housing is inherently which includes the heat sensor (15,92) can be **secured in a bolt**, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Proulx includes the base unit to process & detect the engine is overheat as temperature change above the normal operating temperature of the engine so that the driver can take action to stop the engine before any costly damage is done.

The reference of Proulx is still missing a securing member attaching the heat sensor adjacent to an exterior surface of the engine as claimed by the applicant.

Furthermore, Provasnik teaches a temperature sensor / thermistor (10) for measuring the temperature of an engine comprising a magnet (2) which may attach to any part of engine (4) / outside of the engine component as measuring the temperature of the engine [figs.1,3-4, col.1, lines 63-67, col.2, lines 54-60, col.3, lines 21-34 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to utilize the teaching of Provasnik includes magnet attachment feature in the system of Proulx for easily to secure or remove the heat sensor at outside of the engine / on the surface of the engine as desired.

Regarding claim 2, Proulx discloses the visual signal / LED (26) is connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [fig.1, col.5, lines 28-43].

Regarding claim 3, Proulx discloses the temperature warning device having a housing is inherently which includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42].

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Regarding claim 5, Proulx discloses the temperature warning device includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42]; and

Provasnik teaches a temperature sensor / thermistor (10) for measuring the temperature of an engine comprising a magnet (2) which may attach to any part of engine (4) / outside of the engine component as measuring the temperature of the engine [figs.1,3-4, col.1, lines 63-67, col.2, lines 54-60, col.3, lines 21-34 and abstract].

Regarding claim 6, Proulx discloses a temperature warning indicator (26,44) for an engine of a vehicle [figs.1,4,6, col.3, lines 4-7, col.4, lines 8-49 and col.5, lines 28-43] comprising:

- a heat sensor (15) for monitoring the engine is starting overheat [figs.1,2,7, col.4, lines 29-49 and col.5, lines 28-49];
- electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs.1,3,7, col.4, lines 11-34 col.5, lines 4-43];
- an audible signal (44) includes a speaker is inherently and visual signal / LED (26) are connected to the base unit, the heat sensor (15) to provide warning signals to driver operator whenever the engine is starting overheat [figs.1,3,7, col.4, lines 11-34 and col.5, lines 4-43];

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- a power supply (10) is powering the electronic circuits includes a base unit communicates with the heat sensor (15) for controlling & detecting the engine is starting overheat [figs.1,3,7, col.4, lines 11-34 and col.5, lines 4-43];

The reference of Proulx does not specifically mention "processor" is used in the temperature warning system and a securing member is a magnet attaching the heat sensor adjacent to an outer surface of the engine as claimed by the applicant.

However, Proulx does teach the base unit communicates with the heat sensor (15) and does most of the data processing as monitoring the engine is starting overheat which can be set / adjusted the temperature warning system to provide an accurate and early warning if the ENGINE starts to overheat for any reason [figs.1,3,7, col.3, lines 17-24, col.4, lines 11-34 and col.5, lines 4-43]; and

- the temperature warning device includes the heat sensor (15,92) can be secured in a bolt, bracket mounting bolt (91) which is installed in the head of the engine for monitoring the heat of the engine [figs.1-4, col.4, lines 35-49 and col.8, lines 32-42].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Proulx includes the base unit to process & detect the engine is overheat as temperature change above the normal operating temperature of the engine so that the driver can take action to stop the engine before any costly damage is done.

The reference of Proulx is still missing the securing member is a magnet device attaching the heat sensor adjacent to an outer surface of the engine as claimed by the applicant.

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Furthermore, Provasnik teaches a temperature sensor / thermistor (10) for measuring the temperature of an engine comprising a magnet (2) which may attach to any part of engine (4) / outside of the engine component as measuring the temperature of the engine [figs.1,3-4, col.1, lines 63-67, col.2, lines 54-60, col.3, lines 21-34 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Provasnik includes magnet attachment feature in the system of Proulx for easily to attach or remove the heat sensor at outside of the engine / on the surface of the engine as desired.

Arguments & Responses

3. Applicant's argument filed on Sept. 26, 2005 have been fully considered but they are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant 's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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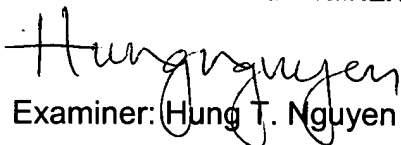
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1. 136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

HUNG NGUYEN
PRIMARY EXAMINER


Examiner: Hung T. Nguyen

Date: Nov. 1, 2005